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PATENT TRADEMARK OFFICE

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Patent

Customer No.: 26308

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Kaganov et al.

Docket No.: 9494.18520

Serial No.: 10/808,216

Examiner: Unknown

Filed: 24 March 2004

Group Art Unit: 3731

Title: Devices, Systems, and Methods for Supporting Tissue and/or Structures within a Hollow Body Organ

PETITION FOR AN UNINTENTIONALLY DELAYED BENEFIT CLAIM
PURSUANT TO 37 C.F.R. §1.78(a)(3)

Mail Stop Petition
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

Applicant requests to amend the benefit claim under 35 U.S.C. §120 of the above-noted application, as follows in marked-up form:

This application is a continuation-in-part ~~claims the benefit~~ of co-pending United States Patent Application Serial No. 10/307,226, filed November 29, 2002, ~~which claims the benefit of co-pending United States Provisional Application Serial No. 60/333,937 filed 28 November 2001.~~ This application is also a continuation-in-part ~~claims the benefit~~ of co-pending United States Patent Application Serial No. 10/271,334, filed October 15, 2002, which claims the benefit of United States Provisional Application Serial No. 60/333,937 filed 28 November 2001.

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The priority claim has been amended to provide the relationship of related applications.

Applicant states that the entire delay between the date the claim was due under paragraph (a)(2)(ii) of 37 C.F.R. §1.78 and the date the claim was filed was unintentional.

Applicant hereby petitions for acceptance of the unintentionally delayed benefit claim.

The requisite fee under 37 C.F.R. §1.17(t) is submitted herewith.

Respectfully Submitted,

By Patricia A. Limbach
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Registration No. 50,295

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12 November 2004

Customer No.: 26308

Applicant/18520/041112 Petition Under 37 C.F.R. 1.78(a)(1)



CERTIFICATE OF FIRST CLASS MAIL

I hereby certify that this correspondence is being deposited with the United States Postal Service as First Class Mail, with sufficient postage, on the date indicated below in an envelope addressed as follows: Mail Stop Petition, Commissioner for Patents, PO Box 1450, Alexandria, VA 22313-1450

By: Linda S. Wenzel

Dated: 12 November 2004

Linda S. Wenzel